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Via ECF

Hon. Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, NY 10007

**Re: *Lively v. Wayfarer Studios LLC et al.*, No. 1:24-cv-10049-LJL;
rel. *Wayfarer Studios LLC et al. v. Lively et al.*, No. 1:25-cv-00449-LJL**

Dear Judge Liman:

As counsel for Wayfarer Studios LLC, Justin Baldoni, Jamey Heath, Steve Sarowitz, It Ends With Us Movie LLC, Melissa Nathan, The Agency Group PR LLC, and Jennifer Abel (collectively, the “Wayfarer Parties”), we write to notify the Court that the Wayfarer Parties do not intend to move for leave to amend their pleading by the April 18, 2025 deadline set forth in the Case Management Plan and Scheduling Order. The Wayfarer Parties stand behind the operative First Amended Complaint and are confident that, for the reasons outlined in their opposition briefs (Dkt. Nos. 121, 127, 160, 162), the currently-pending motions to dismiss will be denied. If the Court were to grant one or more of the motions to any extent, the Wayfarer Parties will move for leave to amend pursuant to Fed. R. Civ. P. 15(a)(2) and seek a commensurate modification of the Scheduling Order under the “good cause” standard pursuant to Fed. R. Civ. P. 16(b)(4) and consistent with the guidance set forth in *Furry Puppet Studio Inc. v. Fall Out Boy*, No. 19-CV-2345 (LJL), 2020 WL 4978080 (S.D.N.Y. Feb. 24, 2020). *See also Sacerdote v. New York Univ.*, 9 F.4th 95, 115 (2d Cir. 2011); *Esplanade 2018 Partners, LLC v. Mt. Hawley Ins. Co.*, No. 23-cv-3592 (DEH), 2025 WL 307401, at *2 (S.D.N.Y. Jan. 27, 2025) (analyzing application of good cause standard to motion for leave to amend).

Respectfully submitted,

Kevin Fritz

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cc: all counsel of record (via ECF)